



DATE FILED	<u>3-30-2022</u>
APPLICATION NUMBER	<u>2022-758</u>
For office use only	

APPLICATION FOR CHANGE IN ZONING CLASSIFICATION
OR CHANGE IN CONDITIONS
(SEE FILING INSTRUCTIONS)

TO: Town of Matthews Board of Commissioners
Town of Matthews Planning Board
232 Matthews Station Street
Matthews, North Carolina 28105-6713

Ladies and Gentlemen:

Your consideration of this petition is requested for:

- ☒ A change in zoning classification of the property hereinafter described; or
☐ A change in conditions to an existing conditional zoning plan.

Tax parcel number(s): 21515101, 21515102, 21515111, 21515103, 21515173

Address of property: 14416 Idlewild Road, Matthews, NC 28105

Location of property:

Title to the property was acquired on Multiple parcels all acquired on 5/11/2007
and was recorded in the name of Valley- Silver Oaks, LLC
whose mailing address is 316 Windover Ave NW Vienna VA 22180

The deed is recorded in Book See attached Exhibit A and Page _____ in the office of the Register of
Deeds for Mecklenburg County.

Present zoning classification: R-VS Requested zoning classification: R-VS and MUD

List reason(s) why zoning should be changed (use separate sheet if necessary):

Please see attached Exhibit B

Application number

2020-758
For office use only

Thomas M. Stevens

Signature of property owner (must be original)

Valley-Silver Oaks, LLC

Print name of property owner

Thomas M. Stevens, Managing Member

Property owner's mailing address

316 Windover Ave NW

Property owner's mailing address, continued

Vienna VA 22810

Property owner's mailing address, continued

tstevens@cbmove.com
571-224-8639

Property owner's phone number/email address

Signature of agent (if any)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Peter A. Pappas

Petitioner other than owner (if any)

Peter A. Pappas

Print name of petitioner

Pappas Properties, LLC

Petitioner's mailing address

4777 Sharon Road, Suite 550

Petitioner's mailing address, continued

Charlotte, NC 28210

Petitioner's mailing address, continued

twalsh@pappasproperties.com

Petitioner's phone number/email address

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SUMMARY OF THE REZONING PROCESS

APPLICANT: Fill in dates for each action below before filing application. Refer to the current Planning Department rezoning schedule for correct dates.

PROPERTY OWNERS: These dates are assumed to be correct at the time of zoning application submittal but are subject to revision. Contact the Planning Department (704-847-4411 or email srobertson@matthewsnc.gov) for verification.

Application submitted to and received by Town Planning office March 30, 2022

Town Board of Commissioners formally accepts application and sets Public Hearing date April 11, 2022

Notices sent via mail to affected/adjacent property owners on or before May 30, 2022

Public hearing: applicant gives explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning June 13, 2022

Town Planning Board reviews request, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request June 28, 2022

Town Board of Commissioners approves or denies application July 11th, 2022

The Matthews Board of Commissioners General Procedures Policy on Zoning and Development Case Appearances Before the Town Board, initially adopted October 8, 2018, explains the Board of Commissioners' expectations that this application is ready for public review and action, and that the above schedule can be followed without delays. By signing below, the property owner(s) and all other parties involved in preparing and presenting this zoning application indicate they have read and understand their responsibility to submit complete and accurate documents in a timely manner throughout the review process. Late or missing (new or revised) documents may limit the applicants opportunity to present updated information, which may result in an unfavorable decision.

Signature of Thomas M. Stevens 3/25/2022
☒ Property Owner Date
☐ Agent for Property Owner
☐ Other (please identify) _____

Signature of _____ Date
☐ Property Owner
☐ Agent for Property Owner
☐ Other (please identify) _____

Signature of _____ Date
☐ Property Owner
☐ Agent for Property Owner
☐ Other (please identify) _____

EXHIBIT A TO ZONING APPLICATION**TITLE INFORMATION**

1. Parcel 21515101
Deed recorded in Book 22208, Page 508, Public Records of Mecklenburg County, North Carolina.
2. Parcel 21515102
Deed recorded in Book 22208, Page 512, Public Records of Mecklenburg County, North Carolina.
3. Parcel 21515103
Deed recorded in Book 22208, Page 499, Public Records of Mecklenburg County, North Carolina.
4. Parcel 21515111
Deed recorded in Book 22208, Page 512, Public Records of Mecklenburg County, North Carolina.
5. Parcel 21515173
Deed recorded in Book 22208, Page 517, Public Records of Mecklenburg County, North Carolina.

EXHIBIT B TO ZONING APPLICATION

March 24, 2022

VIA: HAND DELIVERY

Mr. Jay Camp, Planning Director
Town of Matthews
232 Matthews Station Street
Matthews, NC 28105

Re: Rezoning Application filed by Pappas Properties, LLC Requesting the Rezoning of an Approximately 45.5 Acre Site Located at the Intersection of Stallings and Idlewild Road From R-VS Zoning District to R-VS with a change of conditions and MUD Zoning Districts (Tax Parcels 21515101, 21515102, 21515103, 21515111, and 21515173)

Dear Jay,

This letter is being submitted with the above-captioned Rezoning Application pursuant to the requirements of Paragraph twelve (12) of the Instructions for Filing an application for a Change in Zoning Classification ("Instructions"). Paragraph twelve (12) of the Instructions requires the Applicant to submit documentation regarding the land use recommendations for the subject site as set out in the adopted land use plans and a statement as to how this rezoning proposal complies with such recommendations.

The subject site contains approximately 45.5 acres and is located at the intersection of Stallings and Idlewild Roads. The site is currently zoned R-VS and pursuant to the Rezoning Application, the Applicant is requesting a change of conditions for a portion of the site zoned R-VS, and a rezoning of another portion of the site to a MUD Zoning District.

This site will be developed concurrently with that 20.3-acre site (Tax Parcels 21514105, 21514109, 21514108, 21514119, and 21514106) located east of Stallings Road near the I-485 Interchange. These two large sites were studied together in the Stevens Creek Subarea Study and more recently in the Eastern Gateway Small Area Plan. Concurrent development of both sites fosters the holistic development envisioned by the Small Area Plan for this area.

The purpose of the development and the rezoning request is to accommodate a very high-quality mixed-use community that includes commercial space and residential for sale and rental units. The Rezoning Plan would provide a variety of housing options to include townhomes, multi-family, single family, and cottage style dwelling units.

This plan follows the recommendations of the Eastern Gateway Plan.

The Eastern Gateway Plan, which was adopted on November 8, 2021, provides recommendations to help guide future land use decisions for the land that is part of this rezoning request. Set forth below are the general policies and recommendations of the Eastern Gateway Plan that the Applicant believes apply to and support the proposed development:

There is a need for additional housing and the supply of available undeveloped land is dwindling. The area at the eastern tip of Matthews, bordered by I-485, Idlewild Road and the Windrow neighborhood is one of the few remaining sizeable largely undeveloped sites within the town limits. (See page 3 of the Eastern Gateway Plan)

The residential community proposed by the Applicant would add to and enhance the range and variety of housing style available in this area as envisioned by the Eastern Gateway Plan. The proposed residential community would provide exceptional and high quality for sale and lease units that would be compatible with the surrounding area.

The most recent Matthews Land Use Plan, adopted in 2012, calls for the land in the study area to remain residential but notes that "infill opportunities such as townhomes, multi-family communities and coordinated R-VS developments are encouraged". (See Page 3 of the Eastern Gateway Plan)

A majority of the site would continue the R-VS zoning as recommended by the Land Use Plan and the Eastern Gateway Plan. The R-VS zoning district was created to accommodate demand for higher density single family housing options. Combined the R-VS and MUD Zoning Districts would provide a more urban style of development with a variety of housing options including townhomes, multi-family, single family detached, cottages, and small-scale commercial uses such as restaurants, coffee shops, bank, and small retail shops. The R-VS Zoning District, with changed conditions, is consistent with the R-VS zoning which is the current zoning for the Silver Oaks Property. Single family and townhomes (for sale) would border the Windrow and Springwater neighborhoods. The MUD Zoning District would also be compatible because it provides an alternative to the traditional single family detached subdivision pattern by providing different styles of housing along with an opportunity for non-residential uses.

There is growing demand for walkable communities in the US. (See Page 11 of the Eastern Gateway Plan)

The site would be developed as a walkable community with open space, an interconnected network of streets, sidewalks, bike paths, walking trails, and a variety of housing options and gathering spaces.

As a gateway into the Town, the area should be developed in a manner that presents a positive image of Matthews. The mix of uses, quality of architecture and open space should leave a positive impression on people. (See Page 21 of the Eastern Gateway Plan)

The Applicant proposes a mix of uses including commercial and residential. The community would be an attractive and high-quality community that would attract and retain residents. A

generous amount of open space would be provided on site as well as pockets of community gathering spaces.

Housing should be available for people in all economic situations and stages of life to create a vibrant and diverse community. (See Page 21 of the Eastern Gateway Plan)

The variety of housing proposed by the Applicant would meet the Town's need for more diverse housing options. The site would include single family (both attached and detached) as well as multi-family buildings. The housing options would be available at different rental rates depending on the type, location and size of the unit.

There should be a well-planned, multi-modal transportation system. (See Page 5 of the Eastern Gateway Plan and Vision 1 of the Stevens Creek Subarea Plan)

In keeping with the recommendations in the Eastern Gateway Plan, the Applicant proposes a 10-foot-wide multi-use path along Idlewild Road and a 12-foot -wide multi-use path on Stallings Road as well as streets designed to enable safe and convenient access for all ages, walking and biking options, and a greenway connection.

This plan follows the vision of the Stevens Creek Subarea Study.

In 2020, the Town adopted the Stevens Creek Subarea Study. The purpose of the study was to develop recommendations for improvements to transportation infrastructure within the immediate vicinity of Idlewild Road and connecting roads between Stevens Creek Nature Center. Set forth below are the visions of the Subarea Plan that the Applicant believes apply to and support the proposed development:

Visions 1 and 3 are to have a well-planned, multi-modal transportation system and a walkable and bikeable community.

The development would provide a 10-foot-wide multi-use path along the project frontage on Idlewild Road and a 12- foot- wide multi-use path along the project frontage on Stallings Road. The addition of these walkable, bikeable paths along higher -volume, higher-speed roadways is a significant contribution to the Town's vision to become a true walkable and bikeable community. The multi-use path would create a non-vehicular means to reach and enjoy the Stevens Creek Nature Preserve. The development would also provide well-planned arterial roads to help divert non-local, commuter traffic away from downtown Matthews.

Vision 4 is for the developed community to have a small town feeling and identity.

The development would provide a beautiful, well landscaped, neighborhood consisting of different housing types, small retail shops, restaurants, a network of sidewalks and street trees, and a multi-use path for walking and biking throughout the neighborhood. The Applicant envisions that community members and visitors would walk to get coffee, go to the bank, eat at restaurants, and enjoy the outdoor amenities.

Vision 5 of the Study is to expand park and open space systems.

The development would provide 507,000 square feet of open space and a multi-use path (greenway). Neighbors and visitors would be able to play in the neighborhood as well as safely walk and bike to Stevens Creek Nature Preserve.

Vision 12 of the Study is to provide a healthy, sustainable environment.

The development would support this vision by the creating a walkable neighborhood with an emphasis on connectivity through well planned and safe roads. The development would preserve trees and a meaningful amount of open space. All of this adds up to a healthier, more active community and sustainable environment.

This plan follows the objectives in the 2012-2022 Land Use Plan.

Set forth below are the objectives of the Land Use Plan that the Applicant believes apply to and support the proposed development:

Objective 1. Provide a range and variety of housing styles in Matthews

The development would provide a full-service community with a different mix of housing styles, such as larger single-family homes, smaller single-family cottages, patio homes, townhomes and apartments.

Objective 2. Encourage a mix of land uses in appropriate and well-planned locations throughout the community.

The development would integrate residential uses with daily commercial services and goods to create a well-planned, sustainable community.

Objective 3. Ensure a range of transportation options and encourage alternative modes where appropriate.

Please see the explanations above as to the multi-modal transportation options that this development would provide.

Objective 4. Encourage compact building design and urban style development to achieve more efficient use of space where appropriate.

This development would be the very definition of urban style development with a variety of housing providing options for young and old, and shared infrastructure between the various individual communities.

Objective 5. Preserve open space, natural beauty, and environmentally sensitive areas.

The development would preserve open space and provide appropriate buffers, trees, and a state-of-the-art storm water filtration system.

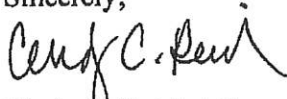
Objective 6. Establish Matthews as a distinct, attractive, high-quality community.

The master planning of this approximately 66-acre undeveloped space would eliminate a piecemeal approach and would create a harmonious development. The development would be vibrant and unique addition to the Town. The high-quality design would create a very attractive place where people want to live and visit.

Thank you and your staff for the effort on the Small Area Plan and for working with the Pappas team as the Eastern Gateway Plan was in progress. We look forward to working with you, Rob, Nadine, Susan and the rest of Matthews staff on this project.

Please contact me if you have any questions.

Sincerely,



Cindy C. Reid, Attorney

Irvin Law Group

Exhibit C TO ZONING APPLICATION**Adjacent Owners, Owners within 100' of Site and Across the Street**

Parcel 21515114
Membership Corp. Union Electric
General Delivery
Monroe, NC 28110

Parcel 21515107
Michael W. & Susan B. Derby
14427 Cricket Lane
Matthews, NC 28105

Parcel 21515176
Jim Dae & Judy Y. Yoon
14419 Cricket Lane
Matthews, NC 28105

Parcel 21515171
William Edmund Sieber, Jr.
14214 Creekside Drive
Matthews, NC 28105

Parcel 21515170
Brian D. & Sherry L. Cornelius
14223 Creekside Drive
Matthews, NC 28105

Parcel 21515168
Katherine & Arthur J. Hagwood
14024 Horseback Circle
Matthews, NC 28105

Parcel 21515167
Robert Lee & Valda R. Robinson
14034 Horseback Circle
Matthews, NC 28105

Parcel 21515166 & 21515165
Lewis J. & Marie A. Whitacre
14054 Horseback Circle
Matthews, NC 28105

Parcel 21515179 & 21515178
Idlewild Investments LLP
3007 Cedric Court
Fort Mill, SC 29715

Parcel 21515104
W. Hatcher Ellis, Jr. & Elizabeth Ellis
14224 Idlewild Road
Matthews, NC 28105

Parcel 21515177
Farhad & Farshid Ebrahimi
14300 Idlewild Road
Matthews, NC 28105

Parcel 21514119
Idlewild – Stallings LLC
c/o L&L Management Inc.
6000 Fairview Road
Suite 1525
Charlotte, NC 28210

Parcel 21514107 & 19511206
Billy Hugh Sustar
13039 Lawyers Road
Charlotte, NC 28227

Parcel 21514108 & 21514109
Idlewild Oaks LLC
2220 Providence Canyon Drive
Charlotte, NC 28270

Parcel 21514117
Jack & Joyce Brewer
4700 Stallings Road
Matthews, NC 28105

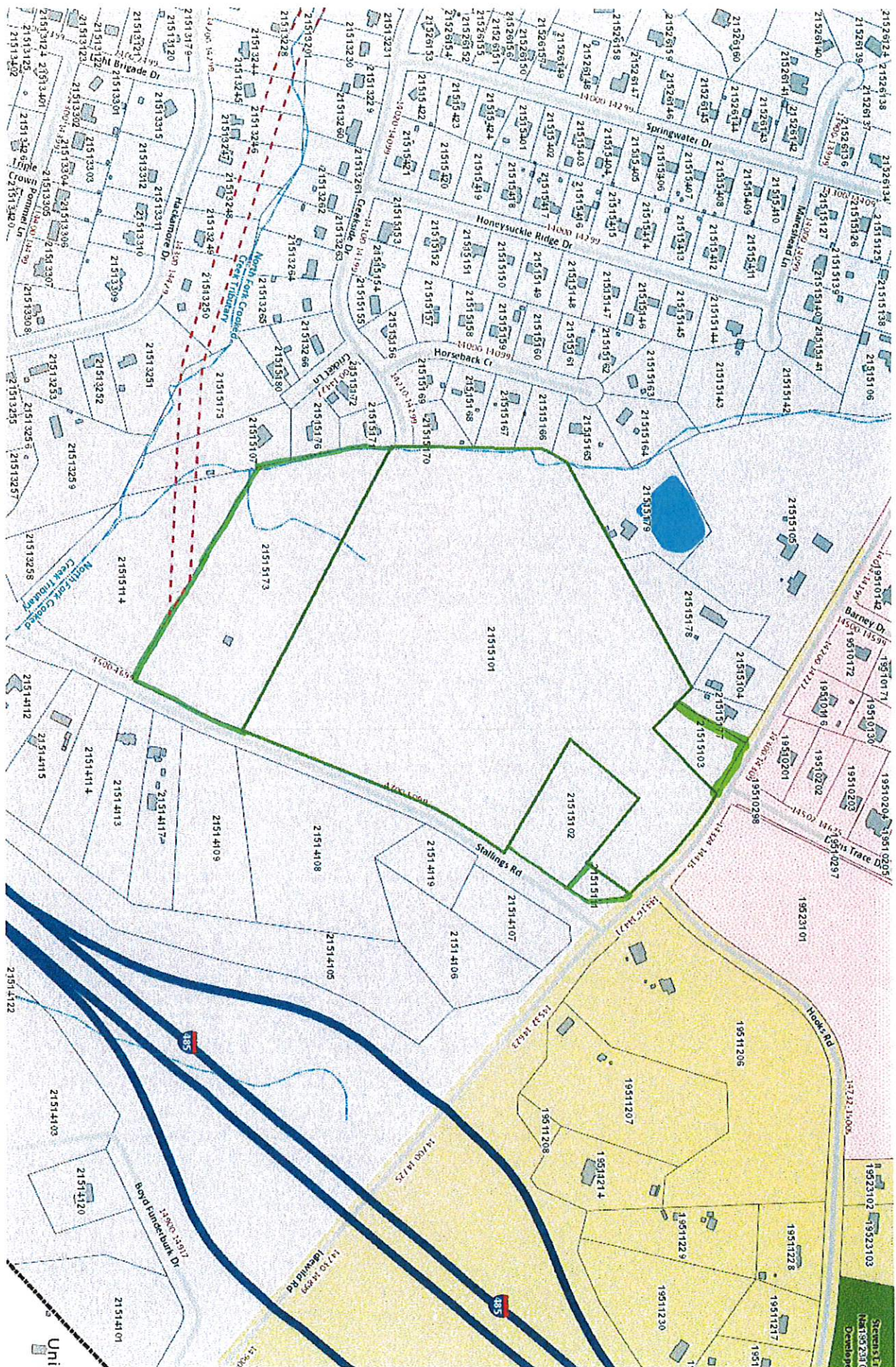
Parcel 21514113
George H. & Sue Elias Francis
4624 Stallings Road
Matthews, NC 28105

Parcel 21514114
Stephen Howard Edwards
4608 Stallings Road
Matthews, NC 28105

Parcel 19510201 (Mint Hill)
John & Melissa Dekanski
14503 Davus Trace Drive
Charlotte, NC 28227

Parcel 19523101 (Mint Hill)
Epcon Mint Hill LLC
500 Stonehenge Parkway
Dublin, OH 43017

2000-758



EXAMPLES OF WALKABLE/MIXED-USE COMMUNITIES

There are a number of successful mixed-use, walkable communities in North and South Carolina. Some have developed as planned communities, while others have evolved more organically over time. The communities are of varying sizes—some far larger than would be appropriate in this area of Matthews—however, there are elements that are common to all of them. Neighborhood businesses are designed to meet the needs of the residents; there is a diversity of housing options; and there is enough density to support the businesses and amenities. These communities generally have access to some type of open space; a place for the community to gather; and wide sidewalks to accommodate outdoor dining, street furniture, and pedestrians. Most importantly, they each have a distinct sense of place and community.

BAXTER VILLAGE, FORT MILL, SC

Baxter Village was built on a portion of 7,000 acres of land formerly owned by Fort Mill's Close family. The family was interested in building a compact, traditional community unlike typical, sprawling suburbia. Begun in 1998, Baxter Village is now an award-winning and nationally-recognized community. Baxter Village Town Center houses shops, restaurants, offices, and civic spaces, and the entire community now contains 1,400 homes, including single-family residential, townhomes, and senior living.



Market Street



Tree-lined residential streets with street parking



Baxter Town Center

PATRICK SQUARE, CLEMSON, SC

The 179-acre mixed-use development was begun in 2009 and provides diverse housing opportunities, including single-family homes, townhomes, duplexes, single-story villas, and senior housing—all with historically-inspired Southern architecture and access to open space. All of the homes are within easy walking distance of the Town Center, which makes up approximately one-third of the development. Patrick Square Town Center is home to restaurants, retail, office space, and a boutique hotel. In 2015, the South Carolina Homebuilders Association named Patrick Square the "Community of the Year."



Patrick Square Town Center



Single-family attached homes



Single-family detached homes fronting preserved open space



Non-residential uses are within easy walking distance of homes, but ample parking is provided both on-street and behind businesses

ANTIQUITY, CORNELIUS, NC

Antiquity sits on approximately 120 acres near downtown Cornelius. The community contains single-family detached residential lots, along with townhomes, apartments, retail, office, and restaurants. Single-family lots are around a tenth of an acre, but many of them front on HOA-maintained green spaces. There are two entryways to Antiquity, including a covered bridge with a pedestrian path to the Antiquity Greenway. There are also a number of stub streets to increase connectivity when the neighboring properties develop.



Townhomes with both street parking and garages



Covered bridge leading out of the neighborhood



Non-residential uses with walking distance of homes



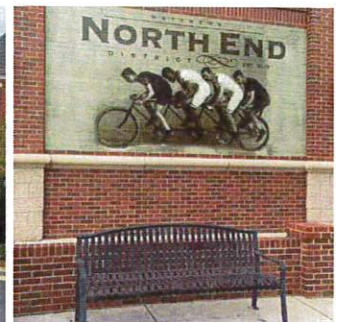
Single-family residential surrounding shared green space

NORTH END, MATTHEWS, NC

On a smaller scale and closer to home is Matthews' own North End. The area includes retail and services, as well as both apartments and townhomes—all within walking distance of downtown's additional amenities. The North End area did not arrive fully formed as a single development. One project built upon the next (with a lot of guidance from the Town) until a true neighborhood was created.



Townhomes adjacent to restaurants and businesses



Public seating



Apartments over businesses

